

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Atty's Dkt: JANAILHAC1
 Marie-Claire JANAILHAC) Application Division
 Serial No. 10/542,578) ATTN: PCT
 IA Filing Date: January 23, 2004) Washington, D.C.
 For: COMPOSITION COMPRISING AN EXTRACT OF...) Confirmation No.: 6899
 Date: May 15, 2006

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
 Customer Service Window
 Randolph Building, Mail Stop Missing Parts
 401 Dulany Street
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated February 14, 2006. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information, and priority information.
- [] A Preliminary Amendment [] Fees are reduced due to elimination of multiple dependency
- [] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. 1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [] An Information Disclosure Statement with 08A-1449 and _____ references.
- [] Application Data Sheet.
- [] Applicant claims small entity status. See 37 C.F.R. 1.27
- [] An exact English language translation of the PCT application as originally filed.
- [] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages ____ of the specification and new claims ____ to be used for examination.
- [] English translation surcharge in the amount of: \$ 130.00
- [XX] Surcharge for late filing of the Declaration in the amount of:
- | | |
|--------------|-------------------------|
| Small Entity | Other than Small Entity |
| [] \$65.00 | [XX] \$130.00 |
- [] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | | |
|-----------------------------|-----------------------------|
| Small Entity | Other Than Small Entity |
| Response Filed Within | Response Filed Within |
| [] First - \$ 60.00 | [XX] First - \$ 120.00 |
| [] Second - \$ 225.00 | [] Second - \$ 450.00 |
| [] Third - \$ 510.00 | [] Third - \$1,020.00 |
| [] Fourth - \$ 795.00 | [] Fourth - \$1590.00 |
| [] Fifth - \$1,080.00 | [] Fifth - \$2,160.00 |
| month after time period set | month after time period set |
- [XX] Total Fees enclosed: \$250.00
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$250.00 is enclosed to cover the above fees.
- [XX] Conditional Petition for Extension of Time:
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

05/18/2006 ATRAN1 00000155 10542578

01 FC:1617 130.00 0P

05/18/2006 ATRAN1 00000155 10542578

02 FC:1251 120.00 0P

RLB:dac

BROWDY AND NEIMARK, P.L.L.C.
 Attorneys for Applicant(s)

By:

Reginald Browdy S. Neimark
 Registration No. 25,648 20520



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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MOUT.

| | | |
|-----------------------------|-------------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/542,578 | Marie-Claire Janail-Hac | JANAILHAC1 |

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| INTERNATIONAL APPLICATION NO. |
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PCT/FR04/00167

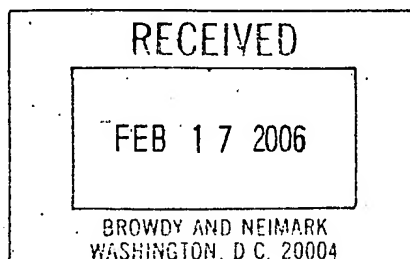
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| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|

01/23/2004

01/24/2003

1444

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WASHINGTON, DC 20001-5303



CONFIRMATION NO. 6899
371 FORMALITIES LETTER



OC000000018032824

Date Mailed: 02/14/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/19/2005
- Copy of the International Search Report filed on 07/19/2005
- Preliminary Amendments filed on 07/19/2005
- Request for Immediate Examination filed on 07/19/2005
- U.S. Basic National Fees filed on 07/19/2005
- Priority Documents filed on 07/19/2005
- Specification filed on 07/19/2005
- Claims filed on 07/19/2005
- Abstracts filed on 07/19/2005
- Drawings filed on 07/19/2005

M-sp: 14 APR 2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D. WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/542,578 | PCT/FR04/00167 | JANAILHAC1 |

FORM PCT/DO/EO/905 (371 Formalities Notice)